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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **TACOMA DIVISION**

10 WILL CO. LTD. a limited liability company
organized under the laws of Japan,
Plaintiff,

11 vs.

12 KAM KEUNG FUNG, aka 馮錦強, aka
13 FUNG KAM KEUNG, aka FUNG
KAMKEUNG, aka KUENG FUNG, aka
14 KEUNG KAM FUNG, aka KAM-KEUNG
FUNG, aka KEVIN FUNG, an individual;
15 FELLOW SHINE GROUP LIMITED, a
foreign company, and DOES 1-20, d/b/a
16 AVGLE.COM

Case No.
3:20-cv-05666-RSL

DECLARATION OF FRANK
SCARDINO IN SUPPORT OF
DEFENDANTS'
MOTION TO DISMISS FOR LACK OF
PERSONAL JURISDICTION

17 **DECLARATION OF FRANK SCARDINO IN SUPPORT OF DEFENDANTS'**
18 **MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

I, Frank Scardino, declare and state as follows:

19 1. My name is Frank Scardino. I am over the age of 18 years. I am an associate
20 attorney at Boston Law Group, PC, which is counsel to the Defendants with pending *pro hac vice*
21 applications in the above captioned case. I am licensed to practice law in the Commonwealth of
22 Massachusetts, and my bar number is 703911 in Massachusetts. I make this declaration based
23 upon personal knowledge. All statements contained in this declaration are true and correct to the
24

1 best of my knowledge. If called as a witness, I could and would testify as to the facts set forth in
2 this declaration.

3 2. On December 23, 2020, I visited a section of Cloudflare.com's website. The
4 specific URL I visited was: <https://www.cloudflare.com/about-overview/>. A true and correct
5 screenshot of a portion of this page is attached hereto as Exhibit A. This portion of Cloudflare's
6 website reads, in part, "Anytime we push code, it automatically affects approximately 25 million
7 Internet properties" and "We serve data from 200 cities in over 100 countries around the world."

8 3. On December 23, 2020, I visited a section of Cloudflare.com's website. The
9 specific URL I visited was: <https://www.cloudflare.com/network/>. A true and correct PDF copy
10 of this page is attached hereto as Exhibit B. This portion of Cloudflare's website list the cities in
11 which Cloudflare operates a network site (*i.e.* a server). According to this page, Cloudflare has
12 servers in the following Asian cities (without limitation) Tokyo, Hong Kong, Osaka, Taipei,
13 Shanghai, and Guangzhou.

14 4. On December 23, 2020, I visited a section of histats.com's website. The specific
15 URL I visited was: <https://www.histats.com/?act=2>. A true and correct PDF copy of this page is
16 attached hereto as Exhibit C. This portion of histats.com's website describes histats' website
17 features which include free tracking of website visitors. For instance, this page references the
18 following features of histats: "Full Real time statistics," "IP tracking, visitors path, maximum
19 detail on each single event on the site, advanced segmentation (IP, COUNTRY, CITY,
20 REFERER, SEARCH ENGINE KEYWORD , ENTRY PAGE, VISITED PAGE, BOUNCED
21 VISITORS, VISITORS HARDWARE, LANGUAGE, ...), segmentation filters can also be saved
22 and loaded," and "100% FREE , No service limitations (up to 10 MILLIONS hits/day)."

23 5. On December 23, 2020, I visited histats.com's privacy policy page located at
24 <https://www.histats.com/?act=102>. A true and correct screenshot PDF copy of this page is

I declare under penalty of perjury that the foregoing facts are true and correct.

/s/ Frank Scardino
Frank Scardino